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TAGS: [PGOV](#) [SU](#)
SUBJECT: SPLM WALKS OUT OF NEGOTIATIONS FOR KHARTOUM
CONSTITUTION

Classified By: P/E Chief Eric Whitaker, Reasons 1.4(b) and (d)

¶1. (U) SUMMARY: The ongoing debate over the status of Khartoum as a national capital or a northern state has intensified over the past week, and the Sudanese People's Liberation Movement (SPLM) delegation to the negotiations has walked out of the proceedings over what it characterizes as National Congress Party (NCP) intransigence. The main issue is whether Khartoum will be governed by Islamic or secular law. END SUMMARY.

Penalties Called, But No Referee

¶2. (U) The SPLM delegation claims that the proposed draft does not conform to either the Comprehensive Peace Agreement (CPA) or the Interim National Constitution (INC). They have promised a competing draft within the next few days. The disagreement is complicated by the fact that the two institutions charged with ensuring conformity with the CPA and the INC, the National Constitutional Review Commission and the Constitutional Court, are not operational.

SPLM Considers Its Options

¶3. (C) On March 21, POLOFF met presidential advisor (SPLM) Khalid Mansour, SPLM advisor Ghazi Suleiman, and Deputy Speaker of the National Assembly (SPLM) Atum Dekuek. Suleiman believed that the issue was clear and there was no room for compromise; both the CPA and INC say that Khartoum is the national capital and that it should reflect the diversity of the country and protect the rights of all its citizens. He was worried, however, that the NCP could use its simple majority in the state assembly to push through the constitution.

¶4. (C) Mansour, one of the authors of the CPA, said that he believed it was a big mistake that the CPA did not define Khartoum as a separate district. He explained that the principal NCP argument was that Khartoum State is not the same thing as Khartoum. All three SPLM officials felt that this issue could not be resolved at the state level and that the Presidency must make the final decision on Khartoum's status.

Southern Press: a Litmus Test

¶5. (U) Pro-south newspapers have seized on this issue as another indicator of the NCP's lack of will to implement the CPA and make unity attractive. They say that southerners cannot possibly remain part of a country where they are not welcome in the capital. Editorials also call for the

Presidency to make a decision, but most question whether Kiir will be able to stand up to his colleagues, comparing this battle to the fights over the appointments of the Minister of Energy and Mines, and the Minister of Finance, both of which the SPLM lost.

STEINFELD